

April 26, 2023
(12) ARDR

WPA 7413 of 2023

Samir Chatterjee
Vs.
The State of West Bengal & Ors.

Adv. Partha Pratim Roy,
Adv. Dyutiman Banerjee,
...for the petitioner.
Adv. Manika Roy,
...for the NHAI.
Adv. Soumitra Bandyopadhyay,
Adv. Priyabrata Batabyal
...for the State.

Affidavit of service filed by the petitioner is taken
on record.

Heard learned counsels for the parties.

The petitioner claims to be a joint owner of the plot
in question being Sabek Dag no. 1229, Mouza Dhubulia,
J.L. No.33, District Nadia and submits that vide L. A.
case no. 28/NH/10-11 0.015 acres out of total land of
0.18 acres have been acquired by the State respondents.
The petitioner has prayed for demarcation of the
acquired portion of the land in order to enable him to
utilise the remaining portion thereof. The petitioner
submitted a representation in this regard before the
concerned authority on 27th August, 2019 which is yet to
be considered. The petitioner prays for a direction to
consider the said representation at the earliest.

It is submitted on behalf of the State respondents that the 3rd respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 3rd respondent to consider and dispose of the representation submitted by the petitioner dated 27th August, 2019 within two months from the date of communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioner, in accordance with law.

The concerned authority shall take necessary steps for demarcation of the acquired portion of the land, if necessary, in presence of the petitioner/his authorised representative upon service of notice to the petitioner within the stipulated time frame.

With the aforesaid directions, WPA 7413 of 2023 is disposed of.

There shall however, be no order as to costs.

Since no affidavit in opposition is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be furnished to the parties on usual undertakings.

(Suvra Ghosh, J.)